

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA : INDICTMENT
:
- v. - : 21 Cr.
:
QUASHON BURTON, :
:
Defendant. :
- - - - - x

21 CRIM 791

COUNT ONE
(Conspiracy to Steal Government Funds)

The Grand Jury charges:

1. From at least in or about July 2020 up to and including in or about May 2021, in the Southern District of New York and elsewhere, QUASHON BURTON, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other, to commit an offense against the United States, to wit, theft of government funds, in violation of Title 18, United States Code, Section 641.

2. It was part and object of the conspiracy that QUASHON BURTON, the defendant, and others known and unknown did embezzle, steal, purloin, and knowingly convert to their own use and the use of another, vouchers, money, and things of value of the United States and a department and agency thereof, to wit,

the Economic Injury Disaster Loan ("EIDL") program of the United States Small Business Administration ("SBA"), which exceeded the sum of \$1,000, and did receive, conceal, and retain the same with intent to convert it to their own use and gain, knowing it to have been embezzled, stolen, purloined and converted, in violation of Title 18, United States Code, Section 641.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about July 26, 2020, QUASHON BURTON, the defendant, accessed a particular bank account ("Bank Account-1") at an ATM in the Bronx, New York.

b. On or about July 27, 2020, BURTON attempted to purchase six postal money orders at a postal facility in New York, using two Chime bank cards ("Victim-1 Bank Card" and "Victim-2 Bank Card") in the names of two victims of identity theft, both of which cards received proceeds of fraudulent SBA EIDL loans.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Theft of Government Funds)

The Grand Jury further charges:

4. In or about July 2020, in the Southern District of New York and elsewhere, QUASHON BURTON, the defendant, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, vouchers, money, and things of value of the United States and a department and agency thereof, to wit, the SBA EIDL loan program, which exceeded the sum of \$1,000, and did receive, conceal, and retain the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, BURTON used the names and dates of birth of other persons to steal government funds through his fraudulent application for and receipt of SBA EIDL loan benefits.

(Title 18, United States Code, Sections 641 and 2.)

COUNT THREE
(Aggravated Identity Theft)

The Grand Jury further charges:

5. From at least in or about July 2020, up to and including in or about August 2020, in the Southern District of New York and elsewhere, QUASHON BURTON, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in

relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, BURTON used the names and dates of birth of other persons to steal government funds through his fraudulent application for and receipt of SBA EIDL loan benefits, in connection with the offenses charged in Counts One and Two of this Indictment.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

FORFEITURE ALLEGATION

6. As a result of committing the offense alleged in Counts One and Two of this Indictment, QUASHON BURTON, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

Brian Cault
FOREPERSON

Damian Williams
DAMIAN WILLIAMS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

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Defendant.

INDICTMENT

21 Cr.

(18 U.S.C. §§ 371, 641, 1028A(a)(1),
and 2.)

DAMIAN WILLIAMS

United States Attorney

Brian Carroll

Foreperson

12/20/21

(CA)

INDICTMENT FILED
WHEEL A. DJ KAPLAN

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